

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HEATHER TOPP,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

CASE NO. 14-5185-RJB

ORDER AFFIRMING
DEFENDANT'S DECISION TO
DENY BENEFITS

This case comes before the Court on Magistrate Judge Karen L. Strombom's Report and Recommendation (Dkt. 15) in Plaintiff's action for judicial review of Defendant's denial of Social Security benefits. The Court has reviewed the record, including the Report and Recommendation (Dkt. 15) and Objections to the Report and Recommendation (Dkt. 16). Plaintiff raises substantially the same issues in her Objections to the Report and Recommendation (Dkt. 16) as she does in her opening brief (Dkt. 12) and reply brief (Dkt. 14). Although in her Objections to the Report and Recommendation (Dkt. 16) Plaintiff raises the new issue that migraines are not diagnosed on the basis of neurological findings, she argues this in the

1 context of her previously raised argument that the ALJ dismissed Plaintiff's migraines without
2 properly considering them. Dkt. 16 at 2. Magistrate Judge Strombom correctly addressed
3 Plaintiff's arguments in her Report and Recommendation (Dkt. 15). Accordingly, the Court
4 should adopt the Report and Recommendation (Dkt. 15) and affirm the Social Security
5 Administration's denial of benefits.

6 Therefore, the Court **ORDERS** that:

- 7 • the Court **ADOPTS** the Report and Recommendation (Dkt. 15) and
- 8 • the decision of the Social Security administration to deny benefits is **AFFIRMED**.

9 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
10 to any party appearing *pro se* at said party's last known address.

11 Dated this 17th day of October, 2014.

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14 ROBERT J. BRYAN
15 United States District Judge
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